

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 19-208 (MJD/ECW)

(2) CRISTINO MARTINEZ PADILLA,

Defendant.

Thomas M. Hollenhorst, Assistant United States Attorney, Counsel for Plaintiff.

Lee R. Johnson, Johnson & Greenberg PLLP, Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated November 19, 2019. Defendant Cristino Martinez Padilla filed an objection to the portion of the Report and Recommendation recommending that the motion to suppress evidence obtained as a result of search and seizure be denied. Defendant had no objection to the factual findings in the Report & Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record of that portion of the Report and Recommendation to which Defendant has objected. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated November 19, 2019.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated November 19, 2019 [Docket No. 79].
2. Defendant's Motion to Suppress Statements [Docket No. 35] is **GRANTED**.
3. Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 36] is **DENIED**.
4. Defendant's Pro Se Motion to the Government & Court for Dismissal of Indictment [Docket No. 75] is **DENIED**.

Dated: January 16, 2020

s/ Michael J. Davis

Michael J. Davis

United States District Court